

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

ILYA A. DUMITRASH,

Case No. 3:11-cv-1062-AC

Plaintiff,

ORDER

v.

RECONTRUST COMPANY, N.A., BAC
HOME LOAN SERVICING, LLP AND
FEDERAL NATIONAL MORTGAGE
ASSOCIATION,

Defendants.

MARSH, Judge

Magistrate Judge John V. Acosta issued a Findings and Recommendation on February 7, 2012, recommending that defendants ReconTrust Company, N.A., BAC Home Loan Servicing LLP and Federal National Mortgage Association's (defendants) Motion to Dismiss (#7) and Motions for Judicial Notice (#9 & 16) be granted. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). No objections have been timely filed.

When neither party objects to a Magistrate Judge's Findings and Recommendation, this court is relieved of its obligation to

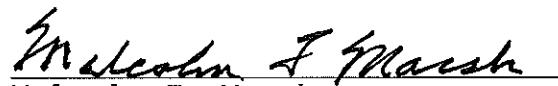
review the record *de novo*. United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); see also United States v. Bernhardt, 840 F.2d 1441, 1444 (9th Cir. 1988). Having reviewed the legal principles *de novo*, I find no error.

CONCLUSION

Accordingly, Magistrate Judge Acosta's Findings and Recommendation (#24) is ADOPTED in its entirety. Defendants' Motions for Judicial Notice (#9 & 16) are GRANTED, and defendants' Motion to Dismiss (#7) is GRANTED. It is further ordered that this action is dismissed without prejudice, and that plaintiff may file an amended complaint within 30 days of the date of this order.

IT IS SO ORDERED.

DATED this 26 day of MARCH, 2012.



Malcolm F. Marsh
United States District Judge